

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

KEYSTONE FRUIT MARKETING,
INC., and BOB N. EVANS ,

Plaintiffs,

v.

WILLIAM G. BROWNFIELD;
JANET H. BROWNFIELD; and
JANET M. CLAYTON,

Defendants and Third-
Party Plaintiffs,

v.

WALLA WALLA RIVER
KEYSTONE, LLC; WALLA
WALLA RIVER FARMS, LLC;

Third-Party
Defendants.

NO. CV-05-5087-RHW

**ORDER DENYING SWEET
CLOVER PRODUCE'S MOTION
FOR PROTECTIVE ORDER**

Before the Court are Sweet Clover Produce's Motion for Protective Order (Ct. Rec.220), Keystone Fruit Marketing's Motion for Protective Order (Ct. Rec. 213), and Keystone Fruit Marketing and William Brownfield's Stipulation to Enter Order and Cancel Hearing (Ct. Rec. 235). A telephonic hearing was held on July 31, 2006. Michael Rex Tabler appeared on behalf of Sweet Clover Produce; William A. Gilbert appeared on behalf of Plaintiff Keystone Fruit Marketing, Inc., and John Schultz represented Defendant Brownfield. Sweet Clover Produce is not a party to the action; it is Defendant Brownfield's and Defendant Janet Clayton's current employer.

ORDER DENYING SWEET CLOVER PRODUCE'S
MOTION FOR PROTECTIVE ORDER * 1

1 In its motion Sweet Clover Produce claims that the discovery requests
2 propounded by Plaintiffs to Mr. Brownfield require that he produce virtually all of
3 Sweet Clover Produce's daily business records. Sweet Clover Produce is
4 unwilling to produce these records, and moves the Court to enter a protective order
5 confirming that no discovery need be produced pursuant to Plaintiffs' pending
6 discovery requests. Sweet Clover Produce alternatively moves the Court to require
7 that Plaintiffs' discovery requests be couched in terms of those growers and/or
8 customers Plaintiffs claim cannot be ascertained from public sources and can only
9 be identified from confidential information or trade secrets belonging to Plaintiffs.
10 This Order memorializes the Court's oral rulings.

11 Having reviewed the record, heard from counsel, and been fully advised in
12 this matter, **IT IS HEREBY ORDERED:**

13 1. Sweet Clover Produce's Motion for Protective Order (Ct. Rec. 220) is
14 **DENIED**.

15 2. Keystone Fruit Marketing's Motion for Protective Order (Ct. Rec. 213)
16 is **DENIED as moot**.

17 3. Keystone Fruit Marketing and William Brownfield's Stipulation to Enter
18 Order and Cancel Hearing (Ct. Rec. 235) is **GRANTED**. The Court shall sign and
19 file Mr. Brownfield's Proposed Protective Order (Ct. Rec. 232) as requested.

20 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
21 Order and forward copies to counsel for the parties and for Sweet Clover Produce.

22 **DATED** this 3rd day of August, 2006.

23
24 *s/ Robert H. Whaley*

25 ROBERT H. WHALEY
26 CHIEF UNITED STATES DISTRICT JUDGE

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